

REMARKS

After entry of this Amendment, the pending claims are: claims 60-80. The Office Action dated November 19, 2007 has been carefully considered. As an initial matter, the Examiner is thanked for indicating that claims 60, 61, 64 and 69-80 were allowable. Claims 62, 63 and 65-68 were previously withdrawn as being directed to a non-elected species based on the understanding that the claims would only be restricted to the elected species if no generic claim is held allowable. Independent claim 60 is believed to be generic. As such, it is respectfully submitted that claims 62, 63 and 65-68 should be allowed as well. All remaining claims have been canceled, as such the present application is believed to be in proper condition for allowance. Specifically, claims 1-32 were previously canceled without prejudice. Claims 81-91 were previously canceled as being directed to a non-elected invention. The Applicants explicitly reserved the right to file continuation and/or divisional applications directed towards the embodiments of claims 81-91. Claims 33-59 are canceled herewith. No new matter has been added. Withdrawal of all remaining rejections and allowance of the pending claims is respectfully requested.

In the Office Action dated November 19, 2007, the Examiner

- rejected claims 33, 34, 36, 44-46, 48 and 49 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,174,334 to Suddaby (“Suddaby”);
- rejected claims 33, 34, 36, 44, 48, 49 and 51 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,836,948 to Zuchermann *et al.* (“Zuchermann”);
- rejected claim 35 under 35 U.S.C. 103(a) as being unpatentable over Zuchermann in view of U.S. Patent No. 5,496,318 to Howland *et al.* (“Howland”);
- rejected claim 43 under 35 U.S.C. 103(a) as being unpatentable over Suddaby in view of U.S. Patent No. 5,261,908 to Campbell (“Campbell”);

- rejected claim 47 under 35 U.S.C. 103(a) as being unpatentable over Suddaby in view of PCT Published Application No. WO 95/31158 to Taylor (“Taylor”);
- rejected claim 50 under 35 U.S.C. 103(a) as being unpatentable over Zuchermann in view of U.S. Patent No. 6,524,341 to Lang *et al.* (“Lang”);
- rejected claims 52 and 53 under 35 U.S.C. 103(a) as being unpatentable over Suddaby; and
- indicated that claims 60, 61, 64 and 69-80 were allowable.

INDEPENDENT CLAIM 60

The Examiner is thanked for taking the time to speak with me today. The Examiner is also thanked for indicating that independent claim 60 and dependent claims 61, 64, and 69-80, which all depend from independent claim 60, were allowable.

It is respectfully submitted that dependent claims 62, 63 and 65-68 were previously withdrawn as being directed to a non-elected species based on the understanding that the claims would only be restricted to the elected species if no generic claim is held allowable. Independent claim 60 is believed to be generic. As such, it is respectfully submitted that claims 62, 63 and 65-68 should be allowed as well. All remaining claims have been canceled without prejudice, as such the present application is believed to be in proper condition for allowance.

Withdrawal of all remaining rejections and allowance of the present application is respectfully requested.

Application No. 10/784,046
Amendment filed December 17, 2007
Response to the Final Office Action dated November 19, 2007

CONCLUSION

No fee is believed due for this submission. If, however, the Commissioner determines otherwise, the Commissioner is authorized to charge any fees which may now or hereafter be due in this application to Deposit Account No. 19-4709.

In the event that there are any questions, or should additional information be required, please contact Applicants' attorney at the number listed below.

Respectfully submitted,

Date: December 17, 2007

/Giuseppe Molaro/
Giuseppe Molaro
Registration No. 52,039

For: Brian M. Rothery
Registration No. 35,340

Attorney for Applicants
Stroock & Stroock & Lavan LLP
180 Maiden Lane
New York, New York 10038
(212) 806-6114